

REMARKS

Reconsideration of the Final Office Action of April 06, 2007 and the Advisory Action of July 11, 2007 is respectfully requested. Included with this Amendment is a one month Petition for Extension of Time and associated fee.

To summarize the claim changes made in this Amendment, claims 4, 8, 12 and 33 have been canceled, while all other claims remain as presented in the Amendment preceding the June 27, 2007 Amendment.

No new matter is considered to be introduced by these amendments.

The Remarks presented in the June 27, 2007 Amendment are incorporated by reference (except those pertaining to the 35 U.S.C. 112 rejections, which rejections were noted as having been removed in the Advisory Action). The incorporated remarks include those earlier presented in rebuttal of the obviousness rejection based on Rodrigues et al (US 6,047,231) in view of Ozaki et al (US 2002/0005077) as well as the following new comments made in response to the Advisory Action commentary:

The Advisory Action includes an indication that the secondary reference of Ozaki et al discloses "a final clutch torques in association with a ration coefficient value which changes according to tire diameter difference".

The Advisory Action does not indicate where in Ozaki et al's disclosure this teaching is found. Referring back to the Office Action mailed on April 06 2007, there is indicated that Ozaki at el teaches "a final clutch torque computing unit for computing a final clutch torque, wherein the final clutch torque computing unit computes the final clutch torque by a computation involving the first clutch torque and the second clutch torque in association with a ratio coefficient value which ratio coefficient value changes according to the diameter difference of the tire so as to suppress a wheel slippage (sections abstract, 0021, 0025, 0031, 0054, 0057, 0063-0080; figs, 1-4, 8-13)"

Applicants have reviewed the above mentioned sections of the “abstract, 0021, 0025, 0031, 0054, 0057, 0063-0080; figs, 1-4, 8-13” in Ozaki and have failed to locate any disclosure or suggestion of a computation involving the first clutch torque and the second clutch torque in association with a ratio coefficient value which ratio coefficient value changes according to the diameter difference of the tire”

In other words, there is not seen any disclosure or suggestion of a computation involving a ratio coefficient value which ratio coefficient value changes according to the diameter difference.

As mentioned in the Amendment submitted on June 27, 2007, Ozaki discloses, in the synthesizing unit 105, the feedback command value for the assist clutch transmission torque supplied from the assist clutch transmission torque FB command setting unit 104 is added to the assist clutch transmission torque FF command value supplied from the assist clutch transmission torque FF command setting unit 102. An assist clutch command value for controlling the assist clutch 25 is generated thus, and supplied to assist clutch drive device 28 (See paragraph [0064], Fig. 2).

Thus, Ozaki simply adds the assist clutch transmission torque “FB” and the assist clutch transmission torque “FF” and obtains the final assist clutch torque to be supplied to the assist clutch 25. There is lacking any disclosure or suggestion in Ozaki of


- a7-1) a diameter difference of tire,
- a7-2) a ratio coefficient value changes according to the diameter, and
- a7-3) a final clutch torque by a computation involving the first clutch torque and the second clutch torque in association with the ration coefficient value.

In view of this, in the absence of a conclusion of allowability, Applicants respectfully submit that there be provided a discussion as to how Ozaki is deemed to disclose "a computation involving the first clutch torque and the second clutch torque in association with a ratio coefficient value which ratio coefficient value changes according to the diameter difference of the tire so as to suppress a wheel slippage". However as a review of the noted portions of Ozaki is considered not to disclose or suggest the features relied upon in the rejection of the claims, Applicants respectfully submit that Rodrigues, as modified by Ozaki, fails to teach or suggest the features of the claimed invention. In view of this, Applicants respectfully submit that independent claim 1 and the dependent claims are patentable and that the application as a whole stands in condition for allowance.

Also, if any fees are due in connection with the filing of this amendment, such as fees under 37 C.F.R. §§ 1.16 or 1.17, please charge the fees to Deposit Account 02-4300; Order No.032405R156.

Respectfully submitted,

SMITH, GAMBRELL & RUSSEL, LLP



Dennis C. Rodgers, Reg. No. 32,936
1850 M Street NW – Suite 800
Washington, DC 20036
Telephone : 202/263-4300
Facsimile : 202/263-4329

Date: August 3, 2007